

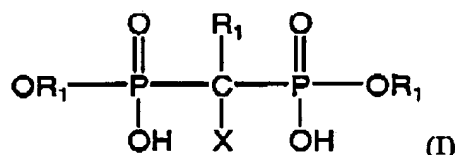
Appl. No. 10/667,960  
 Atty. Docket No. CM2631MC  
 Amdt. dated 06/14/2005  
 Reply to Office Action of 12/14/2004  
 Customer No. 27752

### AMENDMENTS TO THE CLAIMS

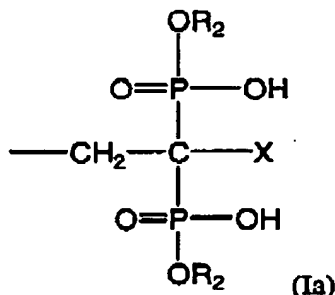
This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A composition suitable for treating hair comprising:
  - a) an oxidizing agent;
  - b) a conditioning agent selected from the group consisting of silicone materials, cationic surfactants, cationic polymers, alkoxyated amines and mixtures thereof; and
  - c) greater than 2% to about 4%, by weight of the composition, of a chelant selected from the group consisting of phosphonic acid type chelants, and salts thereof, derivatives thereof and mixtures thereof;
 wherein said composition has a pH from about 9.5 to about 11.
  
2. (Original) A composition according to claim 1, wherein said chelant is selected from the group consisting of chelants having the formula (I) to (III) below:

i) formula (I):



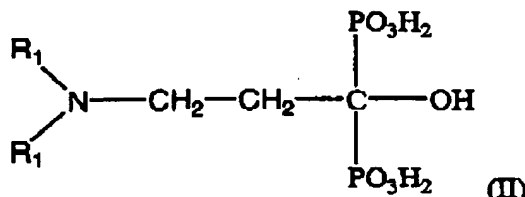
wherein X is -OH or -NH<sub>2</sub>; R<sub>1</sub> is an aryl radical or an aliphatic radical having 1 to 5 carbon atoms or a group having the formula (Ia) below:



wherein each R<sub>2</sub> is independently selected from H or an alkyl radical having from 1 to 5 carbon atoms;

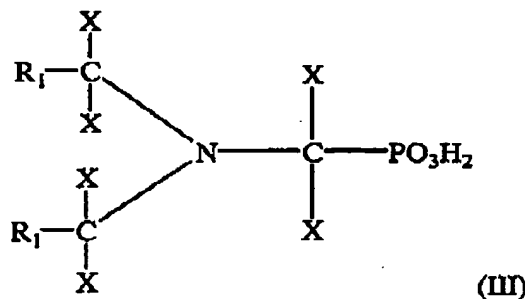
ii) formula (II):

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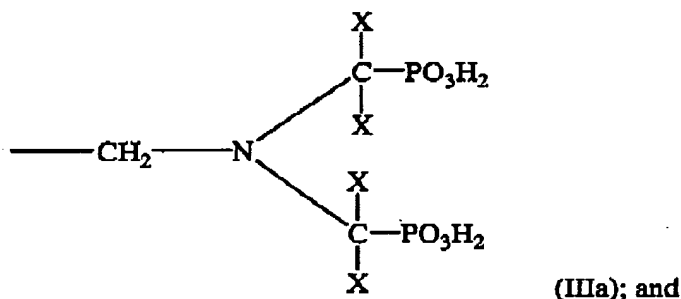


wherein each  $\text{R}_1$  is independently selected from H or  $\text{C}_1\text{-C}_3$  alkyl; and

iii) formula (III):



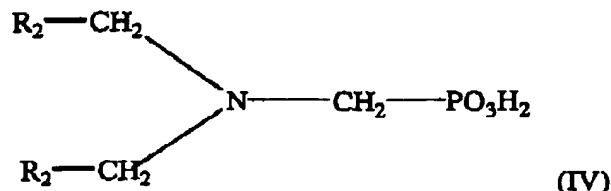
wherein each X is independently selected from hydrogen or alkyl radicals; and each  $\text{R}_1$  is independently selected from  $-\text{PO}_3\text{H}_2$  or a group having the formula (IIIa) below:



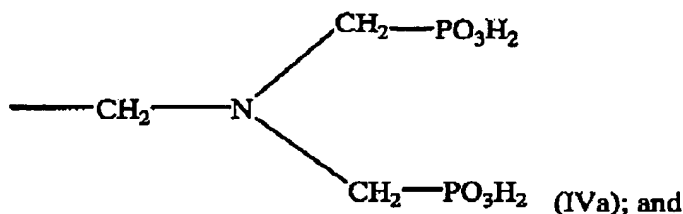
salts thereof, derivatives thereof and mixtures thereof.

3. (Original) A composition according to claim 2, wherein said chelant is selected from the group consisting of aminotri-(1-ethylphosphonic acid), ethylenediaminetetra-(1-ethylphosphonic acid), aminotri-(1-propylphosphonic acid), aminotri-(isopropyl-phosphonic acid), and salts thereof, derivatives thereof and mixtures thereof.
4. (Original) A composition according to claim 1, wherein said chelant is selected from the group consisting of chelants having the formula (IV) below:

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wherein each R<sub>2</sub> is independently selected from -PO<sub>3</sub>H<sub>2</sub> or a group having the formula (IVa) below:



salts thereof, derivatives thereof and mixtures thereof.

5. (Original) A composition according to claim 4, wherein said chelant is selected from the group consisting of aminotri-(methylenephosphonic acid), ethylenediaminetetra-(methylenephosphonic acid) (EDTMP), diethylene-triamine-penta-(methylenephosphonic acid) (DTPMP), and salts thereof, derivatives thereof, and mixtures thereof.
6. (Canceled)
7. (Original) A composition according to claim 1 wherein said composition is in the form of an oil-in-water emulsion.
8. (Original) A composition according to claim 1 wherein said composition is in the form of a thickened aqueous solution.
9. (Original) A composition according to claim 1, further comprising a salt-tolerant thickener selected from the group consisting of xanthan, guar, hydroxypropyl guar, scleroglucan, methyl cellulose, ethyl cellulose, hydroxyethyl cellulose, carboxymethyl cellulose, hydroxypropylmethyl cellulose, microcrystalline cellulose, hydroxybutylmethyl cellulose, hydroxypropyl cellulose, hydroxyethyl ethyl cellulose, cetyl hydroxyethyl cellulose, N-vinylpyrrolidone, Acrylates /

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Ceteth-20 Itaconate Copolymer, hydroxypropyl starch phosphate, polyethoxylated urethanes or polycarbamyl polyglycol ester, trihydroxystearin, acrylates copolymer or hydrophobically modified acrylate copolymers and mixtures thereof.

10. (Original) A composition according to claim 1, further comprising at least one oxidative hair dye precursor.
11. (Currently Amended) A method of treating hair, said method comprising the steps of:
  - i) contacting hair with a first composition comprising:
    - a) a conditioning agent selected from the group consisting of silicone materials, cationic polymers, alkoxyated amines and mixtures thereof; and
    - b) greater than 2% to about 4%, by weight of the composition, of a chelant selected from the group consisting of phosphonic acid type chelants, salts thereof, derivatives thereof and mixtures thereof; and
  - ii) contacting hair immediately after step i) with a second composition comprising an oxidizing agent, wherein said second composition has a pH from about 9.5 to about 11.
12. (Original) A method according to claim 11, wherein said second composition further comprises an oxidative hair dye precursor.
13. (Currently Amended) A method of treating hair, said method comprising the steps of:
  - i) contacting hair with a first composition comprising an oxidizing agent;
  - ii) contacting hair with a second composition comprising a conditioning agent and greater than 2% to about 4%, by weight of the composition, of a chelant selected from the group consisting of phosphonic type chelants, and salts thereof, derivatives thereof and mixtures thereof; and
  - iii) contacting hair with a third composition comprising a second oxidizing agent;

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wherein steps i) and ii) are separated by at least 1 day and that step ii) does not take place immediately before step iii); and

wherein said first and third compositions have a pH from about 9.5 to about 11.

14. (Currently Amended) A method of treating hair, said method comprising the steps of:

i) contacting hair with a first composition comprising greater than 2% to about 4%, by weight of the composition, of a chelant selected from the group consisting of phosphonic acid type chelants, and salts thereof, derivatives thereof and mixtures thereof;

ii) contacting hair with a second composition comprising an oxidizing agent immediately after step i), wherein said second composition has a pH from about 9.5 to about 11; and

iii) contacting hair with a third composition comprising a conditioning agent immediately after step iii).

15. (Original) A kit for dyeing hair comprising a first and a second compositions packaged in different containers, wherein said first composition comprises an oxidizing agent and said second composition comprises an oxidative dye precursor, wherein the resulting mixture of said first and second compositions is a composition according to claim 10.